

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2632

BY DELEGATES RODIGHIERO, WESTFALL, MILLER, R.,
THOMPSON, ELDRIDGE, LOVEJOY, HICKS, MARCUM,
BALDWIN AND CANESTRARO

[Introduced February 21, 2017; Referred
to the Committee on Agriculture and Natural
Resources then Finance.]

1 A BILL to amend and reenact §20-2-27 of the Code of West Virginia, 1931, as amended, relating
 2 to allowing children in the custody of the state in any foster home, group home or other
 3 facility or residence to hunt and fish without a license.

Be it enacted by the Legislature of West Virginia:

1 That §20-2-27 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-27. Necessity for license.

1 (a) (1) Except as otherwise provided by law, no resident ~~who has reached his or her~~
 2 ~~fifteenth birthday and who has not reached his or her sixty-fifth birthday before January 1, 2012,~~
 3 and no nonresident shall at any time take, hunt, pursue, trap for, kill or chase any wild animals,
 4 wild birds, or fish for, take, kill or catch any fish, amphibians or aquatic life of any kind whatsoever
 5 in this state without first having secured a license or permit and then only during the respective
 6 open seasons, except that a license is not required for these activities when conducted by:

7 (A) A resident who has not reached his or her fifteenth birthday and who has not reached
 8 his or her sixty-fifth birthday before January 1, 2012;

9 (B) A resident who has reached his or her sixty-fifth birthday before January 1, 2012; and

10 (C) A resident who has not reached his or her eighteenth birthday and is in custody of the
 11 state in any foster home, group home or other facility or residence.

12 (2) A nonresident who has not reached his or her fifteenth birthday may fish for, take, kill
 13 or catch any fish, amphibians or aquatic life of any kind whatsoever in this state without first having
 14 secured a license or permit.

15 (3) A person under the age of fifteen years ~~shall~~ may not hunt or chase any wild animals
 16 or wild birds upon lands of another unless accompanied by a licensed adult.

17 (b) A resident or nonresident member of any club, organization or association or persons
 18 owning or leasing a game preserve or fish preserve, plant or pond in this state shall not hunt or

19 fish therein without first securing a license or permit as required by law: *Provided*, That resident
20 landowners or their resident children, or bona fide resident tenants of land, may, without a permit
21 or license, hunt and fish on their own land during open seasons in accordance with laws and rules
22 applying to such hunting and fishing unless the lands have been designated as a wildlife refuge
23 or preserve.

24 (c) Licenses and permits shall be of the kinds and classes set forth in this article and shall
25 be conditioned upon the payment of the fees established for the licenses and permits.

NOTE: The purpose of this bill is to allow children in the custody of the state in any foster home, group home or other facility or residence to hunt and fish without a license.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.